

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-109988-001 DT

02/01/2016

COMMISSIONER DAVID V. SEYER

CLERK OF THE COURT

J. Lastra

Deputy

STATE OF ARIZONA

KAREN E KOMRADA

v.

GILBERT VICTOR GONZALEZ (001)

DOB: 08/29/1983

RICHARD G NEUHEISEL

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

PRETRIAL SERVICES AGENCY-CCC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:16 a.m.

Courtroom CCB 802

State's Attorney: Christine Trusken for Karen Komrada

Defendant's Attorney: Richard Neuheisel

Defendant: Present

Court Reporter, Antoinette Salazar, is present.

A record of the proceeding is also made by audio and/or videotape.

Count(s) 1 and 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 (as amended) Endangerment

Class 6 Designated Felony

A.R.S. § 13-1201, 28-3001, 28-3304, 28-3305, 28-3316, 13-701, 13-702 and 13-801

Date of Offense: 11/16/2014

Non Dangerous - Non Repetitive

OFFENSE: Count 2 (as amended) Driving or Actual Physical Control While Under the
Influence of Intoxicating Liquor or Drugs

Class 1 Misdemeanor

A.R.S. § 28-1381(A)(1), 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702, 13-
702.01 and 13-801

Date of Offense: 11/16/2014

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision
of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 2 years

To begin 02/01/2016.

IT IS ORDERED that probation in Count 1 shall run concurrent with probation in Count
2.

Count 2 Probation Term: 2 years

To begin 02/01/2016.

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in Count
1.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from
prison, release from incarceration, or residential treatment and continue to report as directed.
Keep APD advised of progress toward case plan goals and comply with any written directive of
the APD to enforce compliance with the conditions of probation. Provide DNA testing if
required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

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Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning 04/01/2016.

DUI FINE: Count 2 - \$457.50, payable \$20.00 per month, beginning 04/01/2016.

DUI INCARCERATION COST: Count 2 - \$500.00, payable \$30.00 per month, beginning 04/01/2016.

PRISON CONSTRUCTION & OPERATIONS FUND: Count 2 - \$500.00, payable \$20.00 per month, beginning 04/01/2016.

If Defendant violates the terms of his probation, the additional exposure of \$2,140.00 will be imposed.

Count 2: \$500.00 payable \$20.00 per month to the Public Safety Equipment Fund pursuant to A.R.S. § 41-1723 beginning 04/01/2016.

PROBATION ASSESSMENT: Count 2 - \$20.00 payable on 04/01/2016.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 20.00.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 2 - \$13.00 payable on 04/01/2016.

Investigative Agency:

Phoenix Police Department

All amounts payable through the Clerk of the Superior Court.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 18: Count 2: Be incarcerated in the county jail for 30 flat day(s), beginning 02/01/2016 with credit for 0 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

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Defendant shall participate in Work Furlough (participation is contingent upon Jail Classification/ MCSO approval).

Condition 21: Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

DUI Court/Program

Condition 22: Other: As to Count 1, Defendant shall attend the MADD Victim Impact Panel within 90 days of 02/01/2016.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

Count(s) 1: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

Count(s) 2: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS ORDERED revoking Defendant's driver's license and that Defendant not operate a motor vehicle without valid driver's license.

The Disposition Clerk is directed to forward a certified abstract and copy of this sentencing minute entry to the State of Arizona Motor Vehicle Division.

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IT IS FURTHER ORDERED that the Defendant shall be required to equip any motor vehicle he/she operates with a certified ignition interlock device for at least one (1) year upon the conclusion of his/her license suspension or revocation. Defendant must pay for the installation of the device and shall provide proof of the installation, proof of compliance, and proof of inspection of the device to his/her probation/parole officer every ninety (90) days.

IT IS FURTHER ORDERED Defendant shall be screened for and participate in substance abuse counseling.

9:26 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER DAVID V. SEYER
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)